

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TREMAIN BARKER,
Plaintiff,
v.
ERIC ARNOLD,
Defendant.

Case No. [15-cv-04478-JSC](#)

**ORDER GRANTING EXTENSION
OF TIME**

Re: Dkt. No. 8

Petitioner, a California prisoner proceeding pro se, filed this habeas petition under 28 U.S.C. § 2254. Respondent filed a motion to dismiss the petition (ECF No. 7) on the grounds that it is a second or successive federal habeas petition unauthorized by the United States Court of Appeals. *See* 28 U.S.C. § 2244(b). Petitioner has not filed an opposition, but it is clear from his recent motion for default (ECF No. 8) --- properly declined by the Clerk --- that Petitioner has not received the motion to dismiss. Accordingly, on or before **April 27, 2016**, Respondent shall serve the motion to dismiss on Petitioner again and file a proof of such service with the Court. The deadline for Petitioner to file an opposition is extended to and including **May 25, 2016**. Respondent shall file a reply brief within **14 days** of the date any opposition is filed.

IT IS SO ORDERED.

Dated: April 22, 2016


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

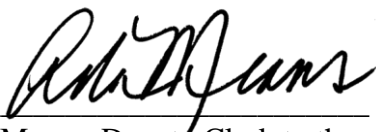
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 22, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Tremain Barker ID: Prisoner Id K-61525
California State Prison - Solano
P.O. Box 4000
Vacaville, CA 95696

Dated: April 22, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY